

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

IVORY SUTTLE,

Petitioner,

**Case No. 08-C-639
(Successive Petition -
Case No. 12-C-921)**

-vs-

BRIAN BRYTON,

Respondent.

DECISION AND ORDER

The petitioner in this long-closed habeas action filed a motion to submit more evidence. The instant motion, just like the underlying petition, is an unauthorized successive collateral attack. 28 U.S.C. § 2244(b)(3)(A). Therefore, the Clerk of Court is **DIRECTED** to open a separate civil 28 U.S.C. § 2254 action with Suttle's motion to reconsider [ECF No. 14, Case No. 08-C-639], which is **DISMISSED** for lack of jurisdiction.

Dated at Milwaukee, Wisconsin, this 7th day of September, 2012.

SO ORDERED,


HON. RUDOLPH T. RANDA
U.S. District Judge